COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

OFFICER INVOLVED SHOOTING EVALUATION

UNIT: Norwalk Station
DATE: January 22, 1993
TIME: 1130 Hours
LOCATION: [redacted] Barnwall Street, Norwalk, California 90650

URN#: 093-01677-0456-056
IAB#: IV004365
NATURE OF INCIDENT: Deputy Involved Shooting; Suspect Injured

COMPLETED BY: Sergeant's Stephen B. Johnson and Thomas G. Martin
Internal Affairs Bureau

DATE: February 5, 1993

REVIEWED BY THE FOLLOWING:

UNIT COMMANDER N J Smith DATE: 3-1-93

AREA COMMANDER David J. Gomez DATE: 3/25/93

DIVISION CHIEF [signature] DATE: 3-29-93

ASSISTANT SHERIFF: Raymond L Moore DATE: 6/17/93

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

CLASSIFICATION

ACCIDENTAL:	No
GUN TAKE-AWAY:	No
PERSON(S) ARMED:	Possibly, with a knife.
PERSON(S) UNARMED:	Unknown
STARTLE:	No
UNINTENTIONAL:	No
DEPUTY IN UNIFORM:	[X] RAID JACKET: [ ] PLAIN CLOTHES: [ ]
VEST WORN:	Yes
FOOT PURSUIT:	Yes
VEHICLE PURSUIT:	No
VEHICLE STOP:	No
TYPE OF HOLSTER:	Departmental issue
GUN IN HOLSTER:	No
STRUGGLE INVOLVED:	No

ADDITIONAL FACTS AND INFORMATION:

Deputy Joyce was briefed at the morning briefing on January 22, 1993, that the suspect was wanted for burglary and had a No Bail warrant issued for his arrest.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
JOYCE, David M.		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Norwalk Station / FOR III

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
M	White	6' 00"	185	[redacted]	32

DUTY STATUS	HIRE DATE
On Duty	July 30, 1987

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes, Class A	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	Not Applicable

DESCRIPTION OF INJURIES
Not Applicable

WEAPON USED

TYPE	AUTHORIZED
Beretta 92F, 9mm, Semi-automatic	Yes

AMMUNITION TYPE	AUTHORIZED
9mm, Federal Hydra-shok	No

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	1	1

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]



DEPUTY INVOLVED
Continued



ASSIGNMENT HISTORY

DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
07/23/89 - Current	Norwalk Regional Station	Deputy Sheriff

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
[redacted]		

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INCIDENT DATA

WHAT INITIATED INCIDENT

Call		Observation	X	Search Warrant		Arrest Warrant	X

LOCATION OF OCCURRENCE

[redacted] Barnwall Street
Norwalk, California

TYPE OF LOCATION

Residence	X	Business		Industrial		Parking Lot	
Street		Backyard		Freeway		Rural	
Other							

SHOOTING CONDITIONS

DATE	TIME	DAY
January 22, 1993	1130 hours	Friday

LIGHTING	WEATHER
Daylight, artificial interior lighting	Warm, hazy

DISTANCE

15 to 20 feet

CONTRIBUTING FACTORS

Suspect Lipscomb is a burglary suspect who had a valid, no bail arrest warrant, in effect at the time of the occurrence. He was attempting to avoid capture by running from the deputies.

The suspect has poor vision and uses glasses to see. He was not wearing his glasses on the day of the incident.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
Lipscomb, Jr.	Larry	A.

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
M	Hispanic	6'02"	190	05/05/73	19	No

INJURED	DESCRIPTION OF INJURIES
Yes	Through and through bullet wound in the abdomen.

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE
Yes

TYPE OF SUBSTANCE	LAB TEST CONDUCTED
Crystal methamphetamine	Yes, by Homicide Bureau

ARMED	TYPE OF WEAPON
Possibly	Knife

NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
None	None

SUSPECT VEHICLE
Not applicable

CRIMINAL HISTORY (ATTACH COPY OF RAPS)
See attached copy of criminal history, Exhibit C

SUMMARY OF INCIDENT
Suspect Lipscomb was interviewed by Sergeants Stephen B. Johnson and Thomas G. Martin of the Internal Affairs Bureau on January 26, 1993, at approximately 0726 hours, at the Los Angeles County, University of Southern California, Medical Center. His interview was tape recorded and is summarized in the Summary of Incident.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

MEDICAL PERSONNEL STATEMENTS

ATTENDING PHYSICIAN

NAME
Jackson, Oscar

BUSINESS ADDRESS
8337 Telegraph Road #315, Pico Rivera, Ca. 90660

BUSINESS PHONE NUMBER	MEDICAL FACILITY
(310) 927-6674	Coast Plaza Hospital

STATEMENT OF PHYSICIAN

Dr. Jackson was interviewed telephonically by Sergeant Stephen B. Johnson on January 28, 1993, at 1200 hours. He declined to be tape recorded. Refer to case summary for his statement.

ATTENDING NURSE

NAME
Not applicable

BUSINESS ADDRESS
Not applicable

BUSINESS PHONE NUMBER	MEDICAL FACILITY
Not applicable	Not applicable

STATEMENT OF NURSE

Not applicable

SUMMARY OF INCIDENT

Suspect Larry Lipscomb stated that on January 22, 1993, at approximately 1100 hours, he was walking in the 12100 block of Barnwall Street with an unknown friend. He said he did not know who the friend was. He stated he knew he was wanted for burglary. He said he was chased two days prior, on January 20, 1993, by deputies from the Lakewood Station who were trying to arrest him. He said he got away and was not detained by them.

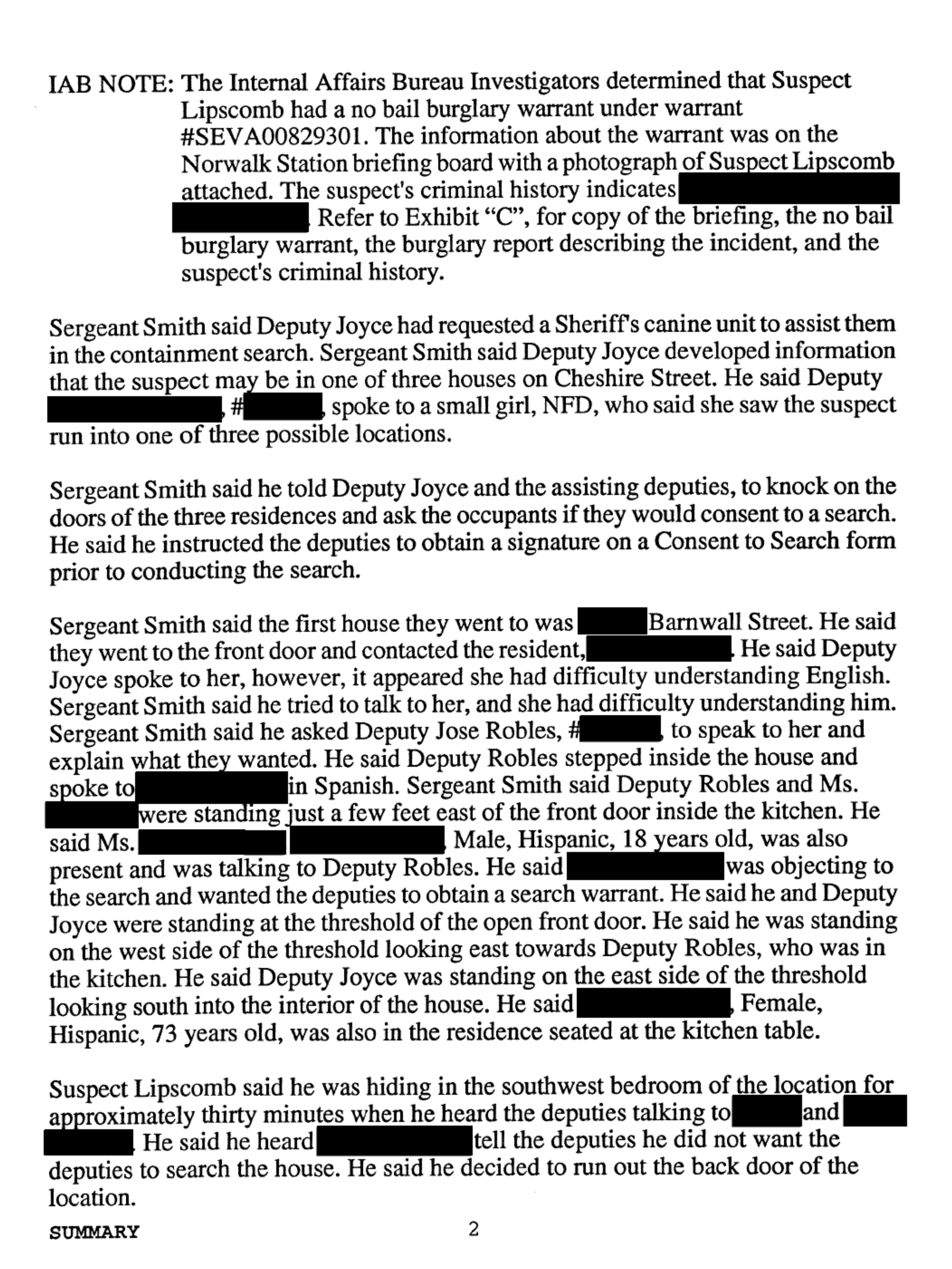
Suspect Lipscomb said he had been awake all night (January 21, 1993) smoking methamphetamine. He said he was wearing black baggy pants with a belt, and a gray oversized sweatshirt. He said he has poor vision, however, he does not know how bad. He said he normally wears glasses and was not wearing them that day. He said he told his friend if he saw a Sheriff's patrol car, to let him know so he could run away. He said his friend told him he saw a patrol car coming.

Suspect Lipscomb said he ran through the backyards of houses on Barnwall Street to [redacted] Barnwall Street, where his friend [redacted] lives. He said he ran inside, via back door of the house, which was open, and told [redacted] the Sheriff's Department was chasing him. He said [redacted] locked the door and told him to stay there. He said [redacted] did not have any weapons and did not give him any weapons. Suspect Lipscomb said he was not carrying any weapons.

Witness Sergeant Terrance Smith stated that he was assigned as the uniformed patrol field sergeant at Norwalk Station, unit #40S, working [redacted] hours. He said Deputy David Joyce, #[redacted] was assigned to unit #45K1, working the City of Norwalk from [redacted] hours.

Sergeant Smith said at approximately 1025 hours he heard a request on the Sheriff's radio from Deputy David Joyce for units to assist him with a containment concerning a burglary suspect that had run away from him. Sergeant Smith said he responded to the scene and contacted Deputy Joyce.

Sergeant Smith said Deputy Joyce informed him that he had just seen Suspect Larry Lipscomb whom he had arrested on previous occasions. Sergeant Smith said Deputy Joyce told him there was information on the briefing board that said Suspect Lipscomb was a wanted burglary suspect who had a no bail warrant issued for his arrest. He said Deputy Joyce told him he saw Suspect Lipscomb run away from him into the yards on Barnwall Street. Witness Smith said Deputy Joyce requested assistance and established a containment to search for the suspect.



IAB NOTE: The Internal Affairs Bureau Investigators determined that Suspect Lipscomb had a no bail burglary warrant under warrant #SEVA00829301. The information about the warrant was on the Norwalk Station briefing board with a photograph of Suspect Lipscomb attached. The suspect's criminal history indicates [redacted]. Refer to Exhibit "C", for copy of the briefing, the no bail burglary warrant, the burglary report describing the incident, and the suspect's criminal history.

Sergeant Smith said Deputy Joyce had requested a Sheriff's canine unit to assist them in the containment search. Sergeant Smith said Deputy Joyce developed information that the suspect may be in one of three houses on Cheshire Street. He said Deputy [redacted], #[redacted], spoke to a small girl, NFD, who said she saw the suspect run into one of three possible locations.

Sergeant Smith said he told Deputy Joyce and the assisting deputies, to knock on the doors of the three residences and ask the occupants if they would consent to a search. He said he instructed the deputies to obtain a signature on a Consent to Search form prior to conducting the search.

Sergeant Smith said the first house they went to was [redacted] Barnwall Street. He said they went to the front door and contacted the resident, [redacted]. He said Deputy Joyce spoke to her, however, it appeared she had difficulty understanding English. Sergeant Smith said he tried to talk to her, and she had difficulty understanding him. Sergeant Smith said he asked Deputy Jose Robles, #[redacted], to speak to her and explain what they wanted. He said Deputy Robles stepped inside the house and spoke to [redacted] in Spanish. Sergeant Smith said Deputy Robles and Ms. [redacted] were standing just a few feet east of the front door inside the kitchen. He said Ms. [redacted] [redacted], Male, Hispanic, 18 years old, was also present and was talking to Deputy Robles. He said [redacted] was objecting to the search and wanted the deputies to obtain a search warrant. He said he and Deputy Joyce were standing at the threshold of the open front door. He said he was standing on the west side of the threshold looking east towards Deputy Robles, who was in the kitchen. He said Deputy Joyce was standing on the east side of the threshold looking south into the interior of the house. He said [redacted], Female, Hispanic, 73 years old, was also in the residence seated at the kitchen table.

Suspect Lipscomb said he was hiding in the southwest bedroom of the location for approximately thirty minutes when he heard the deputies talking to [redacted] and [redacted]. He said he heard [redacted] tell the deputies he did not want the deputies to search the house. He said he decided to run out the back door of the location.

Sergeant Smith said he heard Deputy Joyce say, "There he is! He's trying to get out the back door." Sergeant Smith said he saw the suspect quickly move into the southeast bedroom. He said Deputy Joyce ran south through the living room to a hallway alcove in the center of the house, and then to the threshold of the southeast bedroom door. He said he saw Deputy Joyce draw his weapon and raise it as he ran towards the bedroom. He said he heard Deputy Joyce repeatedly yell at the suspect telling him to get down and to show him his hands. Sergeant Smith said he (Smith) unholstered his weapon as he followed Deputy Joyce to the threshold of the bedroom door. Sergeant Smith said Deputy Joyce was directly in front of him and he was unable to see the suspect inside the bedroom.

Sergeant Smith said he saw Deputy Joyce raise his weapon up and fire one round at Suspect Lipscomb. He said he stepped to the west side of Deputy Joyce in the threshold of the bedroom door. He said he saw the upper torso of the suspect as he (Lipscomb) fell to his knees on the floor.

Suspect Lipscomb said he ran into the southeast bedroom and tried to open the rear door to run out of the location. Suspect Lipscomb said he believed he was facing towards the deputies when he was shot, however, he does not remember. He said he was not carrying a knife and said he did not place his hands in his waist band. He said the only thing he remembers the deputies saying was, "He's going out the back." He denied saying anything to the deputies.

Suspect Lipscomb said he is on probation and he knows it is a violation of his probation to carry weapons. He said if he was carrying a weapon, he would toss it away if he saw the police so he would not be in violation of his probation.

The Sheriff's Homicide Bureau Investigators, Sergeant Richard Adams, #[redacted] and Deputy Mark Lillienfeld, #[redacted], interviewed Deputy Joyce. Deputy Joyce told the Homicide Bureau Investigators he saw the suspect run from the west bedroom to the east bedroom. Deputy Joyce said he drew his weapon and ran south through the house towards the threshold of the door to the east bedroom. Deputy Joyce said he positioned himself on the east side of the threshold of the bedroom door. Deputy Joyce said he ordered the suspect to stop and to show him his hands. He said the suspect tried to open the rear door of the bedroom on the south wall, which lead to the rear yard. Deputy Joyce said the suspect then turned and faced westbound and started to fumble in his waistband. He said the suspect was wearing a long sleeve gray sweatshirt over a pair of baggy black pants. He said the suspect repeatedly pulled his sweatshirt up from his waist band with one hand, and stuffed his other hand into the waist band of his pants. He said the suspect did this two or three times.

Deputy Joyce told the Homicide Bureau Investigators he ordered the suspect two or three times to, "Let me see your hands." Deputy Joyce said the suspect did not comply. Deputy Joyce said the suspect did not comply with his orders and continued to pull his sweatshirt up with one hand and reach into his waistband with the other hand. Deputy Joyce said he believed the suspect was attempting to draw a handgun and shoot him. Deputy Joyce said he fired one round at the suspect. Deputy Joyce said the suspect fell to the carpet and he saw an object bounce next to him. Deputy Joyce looked and saw the object was a 14" kitchen knife which was now laying next to the suspect.

Sergeant Smith said when the suspect fell to the floor he saw a large 14" kitchen knife on the carpet. He said the knife was "a couple of feet" west of the suspect. He said the suspect then started repeatedly banging his head and back, with short forceful movements, on the side of the dresser in the south west corner of the bedroom, and on the sliding glass door on the south wall of the bedroom. He said he and Deputy Joyce repeatedly yelled to the suspect to place his hands where they could see them, and to lay down on the floor. He said the suspect was reaching down on the floor and was repeatedly reaching out in front of him and touching as if he was searching for something. Sergeant Smith said he saws some traces of blood on the suspect's shirt after the shooting.

The Sheriff's Homicide Investigators said that [redacted] identified the 14" kitchen knife as belonging to her from her kitchen. They said she did not know how it got from her kitchen to her bedroom.

Sergeant Smith said the suspect's bizarre behavior led him to believe he was under the influence of some type of drug.

Sergeant Smith said Deputy William A. Schuessler,#[redacted], who is a canine handler, and Deputy Jose Robles then came up behind him. He said Deputy Schuessler asked him if he wanted to deploy "OC", oleoresin capsicum pepper spray. Sergeant Smith said he told Deputy Schuessler to go get it and Schuessler went outside to his patrol car to retrieve the spray.

Suspect Lipscomb said that after he was shot, he jumped up and down because of the intense pain caused by the gunshot wound.

Sergeant Smith said Suspect Lipscomb then stood up, opened the rear sliding glass door on the south wall of the bedroom, and ran out to the backyard of the residence. He said the suspect ran southbound and climbed over the rear wooden fence into the rear yard at [redacted] Sergeant Smith said he believed Deputy Schuessler squirted a stream of "OC" at the suspect but missed as he ran southbound and went over the wall.

Sergeant Smith said he followed the suspect southbound and climbed over the fence into the rear yard at [redacted]. He said the suspect ran southbound to the front yard of that location, turned and ran eastbound across to the front yard at [redacted]. He said the suspect turned and ran north along the east side of the house at [redacted]. He said the suspect then jumped east over the fence between [redacted] and [redacted] and ran south along the west side of the house at [redacted]. He said he believed the suspect was bitten by the dog that resided at that house. He said the suspect ran southbound to the front yard of that location, turned and ran eastbound in the front yard. He said the suspect then ran southbound around a blue van, (Plymouth Voyager, California license #[redacted]), that was parked facing eastward in the front yard of the residence.

A report was written by Deputy [redacted] concerning the arrest of Suspect Lipscomb. (Refer to Exhibit "A" for a copy of her supplemental report written under file #093-01677-0456-056.) In the report, Deputy [redacted] stated she chased Suspect Lipscomb as he fled after the shooting. She said the suspect jumped into the yard at [redacted] and a large dog bit the suspect's pant leg slowing him down. She said Deputy Christopher Sciacca, #[redacted], reached over the fence from [redacted] and grabbed the suspect by his shirt in an effort to stop him. She said the suspect pulled away and ran south towards her. Deputy [redacted] said as the suspect ran towards her, she struck him twice with her baton in the upper right torso. She said she believes she struck the suspect on the front and back of his right shoulder. She said the suspect stumbled forward and was subdued and handcuffed by other deputies on the scene. She said as the suspect was handcuffed he yelled, "Kill Me! Kill Me! Shoot Me!" She said he also intentionally banged his head on the concrete driveway repeatedly.

Suspect Lipscomb said he refused to stop and was struck one time with a baton in the right bicep by a female deputy. He said the deputies caught him took him down to the ground. He said while he was being handcuffed someone placed their foot on his chest as he laid on his back. The Internal Affairs Bureau Investigators saw a small bruise on his right bicep.

Sergeant Smith said the deputies cornered the suspect in the front yard of [redacted], between the van and the south fence which borders the sidewalk. He said the deputies present pointed their weapons at the suspect and told him to get down on the ground. He said the suspect refused to comply and said, "Fuck you motherfucker! Fuck you! Kill me motherfucker! Fuck all you assholes!"

Sergeant Smith said the deputies approached the suspect and took hold of the suspect's arms and laid him on the ground face down, with his head to the east and feet to the southwest. He said he knelt over the back of the suspect's legs while the

deputies handcuffed him. Witness Smith said he did not see the suspect kicked, punched, or struck in any way by anyone. He said the suspect continued to yell obscenities, tried to bang his head on the van, and was trying to get up. Sergeant Smith said he tried to calm the suspect down and the suspect replied, "Fuck You!"

Sergeant Smith said paramedics were requested for the suspect. He said after the paramedics arrived, he went back to the shooting scene. He said when he returned to the bedroom shooting scene, he believed the 14" kitchen knife, he had seen on the carpet after the suspect was shot, was not in the same position he had seen it in when he first saw the suspect go down to his knees. He said it was still on the carpet, yet he believed it was further west of where he had remembered it being. He said he does not know if anyone moved the knife. Witness Smith said four to five deputies may have run through the bedroom in pursuit of the suspect when he ran, possibly kicking it aside.

Sergeant Smith said the deputies were unable to obtain a signature for the Consent to Search form from Ms. [redacted] because the suspect started to flee before she could sign.

Suspect Lipscomb said he believed he was bitten by a dog in the last yard he ran through after being shot. He said it left scratches on his right calf.

Suspect Lipscomb said that while he was in the Emergency Room at the hospital, he said he believed he told his father he wanted the deputies to kill him because he had nothing to live for.

A supplemental report was written by Deputy Richard Strawn, #[redacted], concerning the medical treatment of Suspect Lipscomb, (Exhibit "A"). Deputy Strawn said Suspect Lipscomb made several spontaneous statements while in the emergency room. He said he heard Suspect Lipscomb say, "I wanted that deputy to shoot again. I wanted to die...Did they tell you I use Crystal?"

Dr. Oscar Jackson stated he was the attending physician who examined and treated Suspect Lipscomb at Coast Plaza Hospital, 13100 Studebaker Road, Norwalk, Ca. He stated the suspect sustained a single through and through gunshot wound to the lower abdomen adjacent to his stomach. He said it appeared as if the bullet entered on the right side and travelled to the left and exited. He said the bullet travelled through the muscle lining and tore it as it traversed, causing a small hernia. He said the bullet did not enter the abdominal cavity and did not cause any internal injuries.

Dr. Jackson said he performed abdominal surgery on the suspect to examine the gunshot wound and to repair the hernia caused by it. He said he repaired the hernia during the surgery and saw there were no other internal injuries.

Dr. Jackson said the suspect had scratches on both of his lower calves. He said the suspect told him he had been bitten by a dog, however, he was unable to find evidence of a dog bite or any other puncture wounds on his body. He said the suspect made no complaints about the use of force or of any other injuries. He said the suspect had no other visible injuries.

Dale Higashi, #[redacted], Firearms Examiner from the Sheriff's Crime Lab, examined Deputy Joyce's weapon and the expended casing from the round he fired. He said the casing recovered, and the rounds in Deputy Joyce's weapon, were different from the rounds currently authorized for use by department members. The only 9mm round authorized for use by department members is a 9mm"Winchester Sub-Sonic" 147 grain round.

He said the rounds Deputy Joyce had were "Federal Hydra-Shok", 9mm, copper jacketed hollow point. He said the round is nickel plated and has a lead post in the hollow point that aids in expansion. He said he found two different grain levels in the magazine of Deputy Joyce's weapon. He said he had a mixture of 124 grain and 147 grain rounds of the ammunition in the magazine of his weapon.

Refer to Exhibit "F" for the manual section related to authorized ammunition, 3-03/120.10.

The Homicide Investigators were unable to determine the trajectory of the round fired by Deputy Joyce and could not locate where it impacted.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 1 **SMITH, Terrance, Sergeant, #[redacted], Norwalk Regional Station / FOR III**
Refer to summary of incident for statement.

was interviewed on January 22, 1993, at 1610 hours by Sergeant's Johnson and Martin of the Internal Affairs Bureau. The interview was tape recorded. The person interviewed was given a copy of his AdministrativeRights: Yes [X] No [__]

WITNESS # ____

was interviewed on ________________ at _______ hours by _________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

WITNESS # ____

was interviewed on ________________ at _______ hours by _________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

WITNESS # ____

was interviewed on ________________ at _______ hours by _________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.